United Nations S/2013/580

Security Council

Distr.: General
27 September 2013

Original: English

Letter dated 27 September 2013 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit a communication dated 27 September 2013 from the Director-General of the Organization for the Prohibition of Chemical Weapons, Ahmet Üzümcü, forwarding a decision of the Executive Council of the Organization entitled "Decision on destruction of Syrian chemical weapons", dated 27 September 2013 (see annex).

I should be grateful if you could bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

13-48935 (E) 300913

Please recycle

Annex

Letter dated 27 September 2013 from the Director-General of the Organization for the Prohibition of Chemical Weapons to the Secretary-General

The Executive Council of the Organization for the Prohibition of Chemical Weapons convened today to consider matters related to the elimination of Syria's chemical weapons.

The Council has adopted a decision entitled "Decision on destruction of Syrian chemical weapons", dated 27 September 2013, which endorses an accelerated programme for the elimination of chemical weapons in Syria. I have the pleasure to hereby transmit a copy of the decision (see enclosure).

I look forward to our mutual cooperation in the elimination of Syria's chemical weapons.

(*Signed*) Ahmet **Üzümcü**

Enclosure

Executive Council of the Organization for the Prohibition of Chemical Weapons decision

Decision on destruction of Syrian chemical weapons

The Executive Council,

Recalling that following its thirty-second meeting, 27 March 2013, the Chairperson of the Executive Council (hereinafter "the Council") issued a statement (EC-M-32/2/Rev.1, dated 27 March 2013) expressing "deep concern that chemical weapons may have been used in the Syrian Arab Republic", and underlining that "the use of chemical weapons by anyone under any circumstances would be reprehensible and completely contrary to the legal norms and standards of the international community";

Recalling also that the Third Review Conference (RC-3/3*, 19 April 2013) expressed "deep concern that chemical weapons may have been used in the Syrian Arab Republic and underlined that use of chemical weapons by anyone under any circumstances would be reprehensible and completely contrary to the legal norms and standards of the international community";

Noting the report on the Alleged Use of Chemical Weapons in the Ghouta area of Damascus on 21 August 2013 (S/2013/553, dated 16 September 2013) prepared by the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic, dated 13 September 2013, which concludes that "chemical weapons have been used in the ongoing conflict between the parties in the Syrian Arab Republic, also against civilians, including children, on a relatively large scale";

Condemning in the strongest possible terms the use of chemical weapons;

Welcoming the Framework for Elimination of Syrian Chemical Weapons agreed upon by the United States of America and the Russian Federation on 14 September 2013 (EC-M-33/NAT.1, dated 17 September 2013);

Noting also that on 12 September 2013, in its communication to the Secretary-General of the United Nations, the Syrian Arab Republic notified its intention to apply the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (hereinafter "the Convention") provisionally;

Noting further that on 14 September 2013, the Syrian Arab Republic deposited with the Secretary-General of the United Nations its instrument of accession to the Convention and declared that it shall comply with its stipulations and observe them faithfully and sincerely, applying the Convention provisionally pending its entry into force for the Syrian Arab Republic, which was notified to all States parties by the depositary on the same date (C.N.592.2013.TREATIES-XXVI.3), and taking into account that the depositary received no communications to the contrary from the States parties with regard to this declaration;

Noting further that the Convention enters into force for the Syrian Arab Republic on 14 October 2013;

Recognizing the extraordinary character of the situation posed by Syrian chemical weapons and determined to ensure that the activities necessary for the destruction of the Syrian chemical weapons programme start immediately pending the formal entry into force of the Convention with respect to the Syrian Arab Republic, and are conducted in the most rapid and safe manner;

Recognizing also the invitation of the Government of the Syrian Arab Republic to receive immediately a technical delegation from the Organization for the Prohibition of Chemical Weapons and to cooperate with the Organization for the Prohibition of Chemical Weapons in accordance with the provisional application of the Convention prior to its entry into force for the Syrian Arab Republic, and noting the designation by the Syrian Arab Republic to the Technical Secretariat (hereinafter "the Secretariat") of its National Authority;

Emphasizing that the provisional application of the Convention gives immediate effect to its provisions with respect to the Syrian Arab Republic;

Noting further that the Syrian Arab Republic submitted on 19 September 2013 the detailed information, including names, types and quantities of its chemical weapons agents, types of munitions, and location and form of storage, production and research and development facilities;

Noting further that pursuant to paragraph 36 of article VIII of the Convention, the Council, following its consideration of doubts or concerns regarding compliance and cases of non-compliance, shall, in cases of particular gravity and urgency, bring the issue or matter, including relevant information and conclusions, directly to the attention of the United Nations General Assembly and the United Nations Security Council;

Taking into account the Agreement concerning the Relationship between the United Nations and the Organization for the Prohibition of Chemical Weapons of 17 October 2000;

Strongly urging all remaining States not party to the Convention to ratify or accede to it as a matter of urgency and without preconditions, in the interests of enhancing their own national security as well as contributing to global peace and security; and

Recalling that, pursuant to paragraph 8 of article IV and paragraph 10 of article V of the Convention, a State acceding to the Convention after 2007 shall destroy its chemical weapons and its chemical weapons production facilities as soon as possible, and the Council shall determine the "order of destruction and procedures for stringent verification" of such destruction;

Hereby:

1. *Decides* that the Syrian Arab Republic shall:

   (a) Not later than seven days after the adoption of this decision, submit to the Secretariat further information, to supplement that provided on 19 September 2013, on the chemical weapons as defined in paragraph 1 of article II of the Convention that the Syrian Arab Republic owns or possesses, or has under its jurisdiction or control, in particular:

(i) The chemical name and military designator of each chemical in its chemical weapons stockpile, including precursors and toxins, and quantities thereof;

(ii) The specific type of munitions, sub-munitions and devices in its chemical weapons stockpile, including specific quantities of each type that are filled and unfilled; and

(iii) The location of all of its chemical weapons, chemical weapons storage facilities, chemical weapons production facilities, including mixing and filling facilities, and chemical weapons research and development facilities, providing specific geographic coordinates;

(b) Not later than 30 days after the adoption of this decision, submit to the Secretariat the declaration required by article III of the Convention;

(c) Complete the elimination of all chemical weapons material and equipment in the first half of 2014, subject to the detailed requirements, including intermediate destruction milestones, to be decided by the Council not later than 15 November 2013;

(d) Complete as soon as possible and in any case not later than 1 November 2013, the destruction of chemical weapons production and mixing/filling equipment;

(e) Cooperate fully with all aspects of the implementation of this decision, including by providing the Organization for the Prohibition of Chemical Weapons personnel with the immediate and unfettered right to inspect any and all sites in the Syrian Arab Republic; and

(f) Designate an official as the main point of contact for the Secretariat and provide him or her with the authority necessary to ensure that this decision is fully implemented.

2. *Decides further* that the Secretariat shall:

(a) Make available to all States parties, within five days of its receipt, any information or declaration referred to in this decision, which shall be handled in accordance with the Annex to the Convention on the Protection of Confidential Information;

(b) As soon as possible and in any case not later than 1 October 2013, initiate inspections in the Syrian Arab Republic pursuant to this decision;

(c) Inspect not later than 30 days after the adoption of this decision, all facilities contained in the list referred to in paragraph 1 (a) above;

(d) Inspect as soon as possible any other site identified by a State party as having been involved in the Syrian chemical weapons programme, unless deemed unwarranted by the Director-General, or the matter resolved through the process of consultations and cooperation;

(e) Be authorized to hire, on a short-term basis, qualified inspectors and other technical experts and to rehire, on a short-term basis, inspectors, other technical experts, and such other personnel as may be required whose term of service has recently expired, in order to ensure efficient and effective implementation of this decision in accordance with paragraph 44 of article VIII of the Convention; and

(f) Report to the Council on a monthly basis on implementation of this decision including progress achieved by the Syrian Arab Republic in meeting the requirements of this decision and the Convention, activities carried out by the Secretariat with respect to the Syrian Arab Republic, and its needs for any supplementary resources, particularly technical and personnel resources.

3. *Decides further*:

(a) To consider, on an urgent basis, the funding mechanisms for activities carried out by the Secretariat with respect to the Syrian Arab Republic, and to call upon all States parties in a position to do so to provide voluntary contributions for activities carried out in the implementation of this decision;

(b) To meet within 24 hours if the Director-General reports delay by the Syrian Arab Republic in meeting the requirements of this decision or the Convention, including, inter alia, the cases referred to in paragraph 7 of part II of the Annex to the Convention on Implementation and Verification, or a lack of cooperation in the Syrian Arab Republic or another problem that has arisen with regard to the implementation of this decision and at that meeting to consider whether to bring the matter, including relevant information and conclusions, to the attention of the United Nations Security Council in accordance with paragraph 36 of article VIII of the Convention;

(c) To remain seized of the matter; and

(d) To recognize that this decision is made due to the extraordinary character of the situation posed by Syrian chemical weapons and does not create any precedent for the future.